

22-cr-213 (ADC)
USA v. Cotto-Cruz et al

Hearing set for 10:30 AM Hearing started at 10:37 AM Hearing ended at 11:22 AM
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**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

MINUTES OF PROCEEDINGS:

HONORABLE AIDA M. DELGADO COLON, U.S. DISTRICT JUDGE

COURTROOM DEPUTY: Génesis Y. Rivera-Soto
Court Reporter: DCR Courtroom 1

Date: December 15, 2022
Case 22-cr-213 (ADC)

Attorneys:

UNITED STATES OF AMERICA

SAUSA Corinne Cordero-Romo

v.

(2) Hector Luis Santiago Medina

Allan A. Rivera-Fernandez, Esq.
(Excused by the Court)

(3) Luis Daniel Garcia Hernandez

Maria A. Dominguez-Victoriano, Esq.

(4) Jermaine Calderon-Echevarria

Luis R. Rivera-Rodriguez, Esq.
(Excused by the Court)

(5) Victor Isaac Del Valle-Rivera

Jennie M. Espada-Ocasio, Esq.

(6) Luis Manuel Ortiz-Romero

Michael Raymond Hasse, Esq.

(7) Jose Luis Castro-Vazquez

Saul Roman-Santiago, Esq.

(8) Fabian Nieves-Rosales

Marie L. Cortes-Cortes, Esq.

(9) Karem Lynette Varcancel-Cruz

Luis R. Rivera-Rodriguez, Esq.
(Excused by the Court)

(10) Pedro Alejandro Ocasio-Hernandez

Raul S. Mariani-Franco, Esq.
(Substituted by Jason Gonzalez, Esq.)

(11) Giovanni Andres Reyes-Cruz

Raymond L. Sanchez-Maceira, Esq.

(12) Luis Manuel Vega-Quiles

Hector J. Dauhajre-Rodriguez, Esq.

(13) Luis Nike Santiago-Medina

Ramon L. Garay-Medina, Esq.
(Substituted by Marie L. Cortes-Cortes, Esq.)

(14) Gabriel Casanova-Yales

Richard O. Dansoh, Esq.

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(15) Fernando Ian Canino-Ortiz	Edwin E. Leon-Leon, Esq.
(16) Carlos J. Santos-Diaz	Miguel A. Rodriguez-Robles, Esq.
(17) Juan Ruiz-Diaz	Jason Gonzalez-Delgado, Esq.
(18) Ruben Figueroa-Rodriguez	Diego H. Alcala-Laboy, Esq.
(19) Luis Miguel Munoz-Lopez (LF)	
(20) Luis Alberto Cintron-Collazo	Luis E. Tomassini-Segarra, Esq.
(26) Yan Carlos De Jesus-Ortiz	Jorge Luis Gerena-Mendez, Esq. (Connected at 10:45AM)
(28) Omar Quiles-Arce	Javier A. Morales-Ramos, Esq.
(36) Orlando Jose Rodriguez-Lara	Luis A. Guzman-Dupont, Esq.
(38) Chris Anthony Jimenez-Ortiz	Rosa Ivette Bonini-Laracuenta, Esq.

Case called for Status Conference:

The government informed the evidence inspections were conducted on November 2, 2022 and November 3, 2022 at the U.S. Attorney's Office. However, further evidence inspections will be coordinated as to some specific defendants since certain evidence was not able to be shown at the evidence inspections held on November. Discovery packages have been provided to the defense; notwithstanding, lab reports and cellphone extractions are pending. The government clarified that the cellphones may or may not be produced as discovery depending on whether they could be extracted. In addition, SAUSA Cordero stated plea negotiations are ongoing as to all defendants and the government will be responding today to the motion filed by Atty. Hasse at ECF No. [364]. Upon inquiry by the Court as to trial duration, the government replied it would depend on which defendants go to trial but it anticipates to present 30 witnesses.

As to defendant Luis Daniel Garcia Hernandez (3): Attorney Dominguez mentioned voluminous discovery concerning social media accounts of her client was received and she is still in the process of reviewing the same. Counsel visited the defendant last week. Even though there have been ongoing discussions with the government concerning a potential resolution of the case, defense counsel requested additional time to finish reviewing discovery. At this time, defense counsel does not anticipate trial or filing of dispositive motions, however, the parties have to engage on more substantial plea negotiations when the defense completes the review of discovery.

As to defendant Victor Isaac Del Valle-Rivera (5): Attorney Espada does not anticipate trial and mentioned defendant has a pending revocation. Defense counsel requested additional time to conduct a second proffer meeting and receive the pending cellphone extractions.

As to defendant Luis Manuel Ortiz-Romero (6): Attorney Hasse mentioned he does not foresee trial. He alluded to the status of his motion filed at ECF No. [364] and stated he is looking forward to meeting with the prosecutors of the case to discuss the details of his client's defense. Counsel is awaiting the cellphone extractions to see if there is any exculpatory evidence.

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As to defendant Jose Luis Castro-Vazquez (7): Attorney Roman indicated he received the latest discovery package. He requested additional time to complete reviewing discovery with his client and continue plea negotiations. Defense counsel does not anticipate trial or filing any dispositive motions at this time.

As to defendant Fabian Nieves-Rosales (8): Attorney Cortes stated she has been reviewing the discovery material and engaging in plea negotiations. Defense counsel requested the government to hold a meeting to further discuss the counteroffer submitted by the defense. Furthermore, attorney Cortes indicated she does not foresee trial at this time but needs to excel some conversations with the government to provide the Court a definite answer.

As to defendant Pedro Alejandro Ocasio-Hernandez (10): Attorney Jason Gonzalez, on behalf of attorney Raul Mariani, stated that more time is needed for counsel to revise the video evidence and review discovery with the defendant. Currently, counsel Mariani needs additional time to verify whether the defendant will proceed to plea or exercise his right to go to trial.

As to defendant Giovanni Andres Reyes-Cruz (11): Attorney Sanchez-Maceira stated he is waiting on some documents requested to AUSA Pedro Casablanca. The plea offer was received and sent to his client; all evidence has been reviewed. Defense counsel anticipates defendant will exercise his right to go to trial.

As to defendant Luis Manuel Vega-Quiles (12): Attorney Daujahre mentioned there is evidence that he needs to review that was not part of the evidence inspection. He does not foresee trial since the defendant was sentenced recently for a relevant conduct case. Defense counsel still needs to review discovery and discuss it with his client.

As to defendant Luis Nike Santiago-Medina (13): Attorney Marie Cortes, on behalf of attorney Ramon Garay, indicated counsel assisted to the evidence inspection held and is still reviewing discovery material with his client. He has been holding conversations with prosecutors regarding the case at bar and is yet to clarify the participation of his client. Counsel mentioned this defendant has a previous federal case, which is the following: 18-cr-413-26 (ADC). Attorney Garay has to meet with the prosecutors, finish gathering information, and reviewing the discovery material before stating the position of his client as to trial.

As to defendant Gabriel Casanova-Yales (14): Attorney Dansoh informed discovery was received and reviewed with his client. However, upon reviewing the evidence, defendant affirms he did not make certain statements as represented in an FBI 302. Defense counsel spoke with AUSA Casablanca and he will verify if there was a recorded conversation of the statements made by his client. Attorney Dansoh expressed that the outcome of this information would determine if any dispositive motions will be filed.

As to defendant Fernando Ian Canino-Ortiz (15): Attorney Leon received the discovery package, stated he is in the process of discussing it with his client, and requested additional time to review the evidence. Moreover, counsel believes case 20-cr-438-01 (SCC), which is awaiting sentence, is relevant conduct to the case at bar. Defense counsel does not anticipate trial or filing any dispositive motions.

As to defendant Carlos J. Santos-Diaz (16): Attorney Rodriguez indicated he did not attend the evidence inspection due to trial in another case. Notwithstanding, he mentioned that he saw the images and discussed them with other defense attorneys in the case. Counsel has already scheduled a proffer session with the government and is going to pick-up the individual discovery tomorrow. He mentioned his client is considering a certain defense and they are re-reviewing certain discovery. At this time, defense counsel does not foresee trial or dispositive motions.

As to defendant Juan Ruiz-Diaz (17): Attorney Jason Gonzalez stated he assisted to the evidence inspection and has been reviewing discovery. Also, he met with his client and had a proffer meeting with the government.

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Defense counsel stated the defendant is unwilling to accept the plea offer at this time; however, he does not foresee filing any dispositive motions.

As to defendant Ruben Figueroa-Rodriguez (18): Counsel Alcala stated discovery has been received and its contents have been discussed with the defendant. In the same manner, counsel indicated he participated in the evidence inspection, a proffer meeting was held with the government, and the defense is evaluating the plea offer received. He is waiting to see if the government will be providing new evidence based on the cellphone extractions. Defense counsel does not foresee trial or filing any dispositive motions and expects to continue negotiations.

As to defendant Luis Alberto Cintron-Collazo (20): Attorney Tomassini informed he received the discovery packages and assisted to the evidence inspection. He is in the process of finishing reviewing the discovery and discussing it with his client. Defendant also has a pending case, 21-cr-249-01 (PAD), and counsel Tomassini has contacted AFDJ Jesus Hernandez to verify the case status. Defense counsel requested time to finish reviewing discovery and continue plea negotiations.

As to defendant Julio Angel Galarza-Rosado (26): Counsel Gerena mentioned he attended the evidence inspection and has met with his client to review the evidence. He is still analyzing the defendant's prior criminal convictions at state level and stated there seems to be one conviction missing. Counsel indicated he needs to complete his investigation as to the missing conviction to discard the possibility that the defendant might be a career offender. In addition, his client also has one conviction that seems to be relevant conduct to the case at bar. The defense will be sending a counteroffer as soon as they complete the investigation and the review of the evidence. At this moment, defense counsel does not foresee any dispositive motions and commented there is a possibility that defendant will not go to trial.

As to defendant Omar Quiles-Arce (28): Counsel Morales stated he needs to finalize the review of discovery with his client. He attended the evidence inspection but still needs to discuss plea matters with the government in this case. Defense counsel expects defendant will not go to trial but could not say for certain at this time.

As to defendant Orlando Jose Rodriguez-Lara (36): Counsel Guzman indicated he received and discussed the plea offer with his client. The defendant requested his attorney more time to analyze the offer. Counsel notified he attended the evidence inspection and received the last discovery package tendered on November 30, 2022. He will visit his client this Monday and does not foresee trial at this time or filing any dispositive motions. Upon the Court's inquiry as to the defendant's pro se motion filed at ECF No. [330], counsel clarified the motion should be deemed moot since he met with his client after the motion was filed and there were no issues whatsoever.

As to defendant Chris Anthony Jimenez-Ortiz (38): Counsel Bonini informed she attended the evidence inspection on November 2, 2022 and received the discovery. According to counsel Bonini's statements, a proffer meeting was held with the government but there is some evidence and information that is missing and she is waiting to receive it. Defense counsel indicated a plea offer was received and, even though she has discussed the evidence with her client, she is still reviewing part of the discovery. Counsel Bonini does not anticipate trial or filing of dispositive motions at this moment and requested additional time to tender a counteroffer to the government.

After having heard the parties, the Court imposed the following deadlines and settings:

- **Conclusion of all discovery review is due by January 30, 2023. By said date, the government shall produce lab reports and determine if it is proceeding with the cellphone extractions.**
- **Dispositive Motions due by February 10, 2023.**

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- **Change of Plea Motions due by February 21, 2023.**
- **Pretrial Conference is set for February 21, 2023 at 10:00 AM via VTC.**
- **Jury Trial is set for July 3, 2023 – July 21, 2023 at 9:00 AM in Courtroom 1.**

The [330] MOTION to Appoint Counsel by Orlando Jose Rodriguez-Lara, pro se is hereby **MOOT**.

S/ Génesis Y. Rivera-Soto
Courtroom Deputy Clerk